



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 10/665,299
Filing Date September 17, 2003
First Named Inventor Julien Jalon
Art Unit 2174
Examiner Name Thanh T. Vu
Attorney Docket No. 04860.P2996X

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. Other _____
- b. Enclosed
- i. Amendment/Reply 02/05/2008 NNGUYEN1 00000027 10665299
ii. Affidavit(s)/Declaration(s) 01 FC:1801 810.00 OP
iii. Information Disclosure Statement (IDS) 02 FC:1202 150.00 OP
iv. Other _____

2. **Miscellaneous**

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.(Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666

- i. RCE fee required under 37 C.F.R. § 1.17(e)
ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
iii. Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
iv. Other Additional claims filing fee _____

- b. Check in the amount of \$ 960.00 enclosed
c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

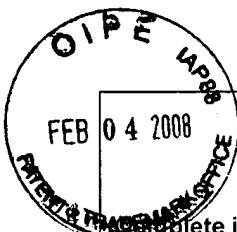
Name (Print/Type) James C. Scheller, Jr. Registration No. (Attorney/Agent) 31,195
Signature Date January 30, 2008

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Carla Anysia Nascimento
Signature Date January 30, 2008

Express Mail No. (only if applicable):

**FEE TRANSMITTAL FOR FY 2008**

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

TOTAL AMOUNT OF PAYMENT (\$) 960.00

Complete if Known:

Application No. 10/665,299
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 First Named Inventor Julien Jalon
 Examiner Name Thanh T. Vu
 Art Unit 2174
 Attorney Docket No. 04860.P2996X

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify) _____

Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

- Charge fee(s) indicated below.
- Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.
- Charge fee(s) indicated below except for the filing fee
- Credit any overpayments.
- Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity	Small Entity	Fee Description	Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code (\$)	
1011	310	2011 155	Utility application filing fee } 1,030/515
1111	510	2111 255	Utility search fee }
1311	210	2311 105	Utility examination fee }
1012	210	2012 105	Design application filing fee }
1112	100	2112 50	Design search fee }
1312	130	2312 65	Design examination fee }
1013	210	2013 105	Plant filing fee }
1113	310	2113 155	Plant search fee }
1313	160	2313 80	Plant examination fee }
1004	810	2004 405	Reissue filing fee }
1114	510	2114 255	Reissue search fee }
1314	620	2314 310	Reissue examination fee }
1005	210	2005 105	Provisional application filing fee }
SUBTOTAL (1)			\$ 0.00

2. EXCESS CLAIM FEES

Fee Description

<u>Large Entity</u>		<u>Small Entity</u>	
<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>

				<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	210	2201	105	Each independent claim over 3
1203	370	2203	185	Multiple dependent claims, if not paid
1204	210	2204	105	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

	<u>Extra Claims</u>	<u>Fee</u>	<u>Fees Paid (\$)</u>
Total Claims	<u>69</u>	<u>- 66 or HP = 3</u>	X <u>\$ 50.00</u> = <u>\$150.00</u>
HP = highest number of total claims paid for, if greater than 20			
Independent Claims	<u>6</u>	<u>- 6 or HP = 0</u>	X <u>\$210.00</u> = <u>\$ 0.00</u>
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims			<u> </u> = <u> </u>
SUBTOTAL (2) \$ 150.00			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additonal 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	<u>- 100 = _____ / 50 = _____</u> (round up to whole number)		X <u>\$ _____</u>	_____

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description:</u> Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Code</u>
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>	
1081	260	2081	130	Utility
1082	260	2082	130	Design
1083	260	2083	130	Plant
1084	260	2084	130	Reissue

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fees Paid (\$)</u>		
Non-English Specification, \$130 fee (no small entity discount)				
<u>Fee</u>	<u>Fee</u>			
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>	<u>Fee Description</u>
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1813	8,800	1813	8,800	Request for inter parties reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	120	2251	60	Extension for reply within first month
1252	460	2252	230	Extension for reply within second month
1253	1,050	2253	525	Extension for reply within third month
1254	1,640	2254	820	Extension for reply within fourth month
1255	2,230	2255	1,115	Extension for reply within fifth month
1401	510	2401	255	Notice of Appeal
1402	510	2402	255	Filing a brief in support of an appeal
1403	1,030	2403	515	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	510	2452	255	Petition to revive – unavoidable
1453	1,540	2453	770	Petition to revive - unintentional
1501	1,440	2501	720	Utility issue fee (or reissue)
1502	820	2502	410	Design issue fee
1503	1,130	2503	565	Plant issue fee
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	810	2809	405	For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	130	2814	65	Statutory Disclaimer
1810	810	2810	405	For each additional invention to be examined (see 37 CFR 1.129(b))
1801	810	2801	405	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.
1505	300	1505	300	Publication fee for republication
1803	130	1803	130	Request for voluntary publication or republication
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,410	1454	1,410	Acceptance of unintentionally delayed claim for priority
Other fee (specify) _____				
Other fee (specify) _____				
SUBTOTAL (4) \$ 810.00				
*Reduced by Basic Filing Fee Paid				
SUBMITTED BY:				
Typed or Printed Name: James C. Scheller, Jr.				
Signature: 	Date: January 30, 2008			
Reg. Number: 31195	Telephone Number: 408-720-8300			

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEB 04 2008

AMENDMENT TRANSMITTAL

PATENT

Application No.: 10/665,299
Filing Date: September 17, 2003
First Named Inventor Julien Jalon
Examiner's Name: Thanh T. Vu
Art Unit: 2174
Attorney Docket No.: 04860.P2996X

An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.

Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.

Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

Preliminary Amendment

Amendment/Response with respect to Office Action

Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)

Notice of Appeal

RCE (Request for Continued Examination)

Supplemental Declaration

Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)

Information Disclosure Statement (IDS)

Copies of IDS citations

Petition for Extension of Time

Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)

Cross-Reference to Related Application(s)

Certified Copy of Priority Document

Other:

Other:

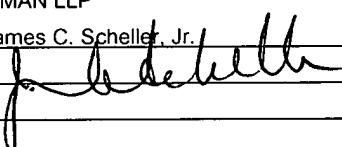
Check(s)

Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: James C. Scheller, Jr.

SIGNATURE: 

REG. NO.: 31,195

DATE: January 30, 2008

ADDRESS: 1279 Oakmead Parkway

Sunnyvale, CA 94085-4040

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450
on January 30, 2008

Date of Deposit

Carla Anysia Nascimento

Name of Person Mailing Correspondence

January 30, 2008

Date

Signature

Express Mail Label No. (if applicable):

(10/14/03)

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